

From: [Steve Spaulding](#)
To: [Greene, Cheryl](#)
Cc: [Hollis, Linda](#)
Subject: RE: Livengood Feeds Use of Diacon-D Methoprene in Animal Feeds
Date: Monday, March 14, 2022 11:24:59 AM

Cheryl,
Another company (HiPro) contacted us this morning about the situation in Texas concerning use of Diacon D to treat livestock feed. I left you at least 2 voicemails. Could you please contact me at (847) 544-6071 to discuss.

Steven R. Spaulding
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Central Garden & Pet
Wellmark International / Farnam Companies, Inc.
dba Central Life Sciences
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From: Steve Spaulding
Sent: Thursday, March 3, 2022 1:24 PM
To: Cheryl Greene <greenes.cheryl@epa.gov>
Cc: Linda Hollis <hollis.linda@epa.gov>
Subject: FW: Livengood Feeds Use of Diacon-D Methoprene in Animal Feeds

Hi Cheryl,
I am sending you this background information that I sent to Linda back in December and hoping that you can help me out. Linda responded once saying that she was out most of December so she was not aware of the details but she has not responded further. Perhaps she is out of the office again? Anyway, the issue of treating animal feed with Diacon D has come up again at another feed manufacturer in Texas and we have had to tell our customers in Texas not to treat the feed with Diacon D until we can get the issue resolved. I got another call this morning on this issue. I think the problem is that I sent Ben Jones in Texas the label that you marked up on December 13, 2011 (see attached). Turns out this was not the most recent label. He compared the marked up label to the one that was finally approved on January 12, 2012 and is on PPLS (see attached) and found they did not match. He contacted BPPD at that point but I am not sure what he was told. He is asking for BPPD to confirm that Diacon D can be used to treat animal feed to control stored product pests. I think you can see this is an approved use on the current label and the one on PPLS. I simply need you to send me an email saying that this is an approved use. I would really appreciate your help on this, especially since you have been involved closely with Methoprene products and were involved in approving this use.

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From: Steve Spaulding

Sent: Tuesday, December 21, 2021 4:14 PM

To: Linda Hollis <hollis.linda@epa.gov>; rust.mary@epa.gov

Subject: Livengood Feeds Use of Diacon-D Methoprene in Animal Feeds

Good Afternoon Linda & Mary,

I am contacting you about an issue I was recently made aware of in Texas by Mr. Ben Jones concerning the stop sale placed by the Office of the Texas State Chemist on Livengood poultry feed treated with Diacon D (EPA Reg. No. 2724-788) to control stored product pests. He requested EPA documentation that supports the use of this product to treat animal feed. I explained to him that we had discussions with BPPD and you agreed this use could be added to the label by amendment. I sent him the attached EPA-Stamped Approved Label (marked with changes) dated December 13, 2011 since that was the first label I located in our files showing that you agreed this was an acceptable use and the attached commercial label for Diacon D IGR and thought the issue was resolved. He contacted me again last Friday to let me know that he contacted Mary Rust of BPPD for an opinion and she elevated the issue to the BPPD Branch Chief. Evidently, when comparing the marked label with changes with the commercial label, you noted that many of the changes had not been made and you felt this product was improperly labeled and would require an amendment to correct the problem.

I went through our files to see where the disconnect was and discovered the following chronology of events.

1. On November 18, 2020, Wellmark submitted an amendment to clarify the directions for use to treat animal feeds (submission attached)
2. On December 13, 2011, BPPD approved the amendment with changes (label attached)
3. On December 21, 2011, I sent an email to Cheryl Greene after I had a telephone discussion with Linda Hollis about concerns we had with the stamped approved label marked with changes. I identified concerns we had with (1) the requirements to add a Worker Protection Box since this was not an agricultural use, (2) requested a clean copy of the label, (3) expressed concerns about the use of "stored" and "commodity" and "broad range of insects throughout the label.
4. On January 12, 2012, we received another stamped approved clean copy of the label (label attached). Evidently, the concerns expressed in the December 21, 2011 email were taken into account by BPPD and these points were not included on this version of the label. This most recent version of the approved label is what our commercial label is based on and is the version that appears in PPLS. I think the disconnect occurred because I sent Mr. Jones the wrong version of the approved label.

My conclusion is that Diacon D is properly labeled for treating animal feed and is in compliance with the most recent EPA approved label. Could you please confirm that you agree with my conclusion and I can contact Mr. Jones accordingly and you can contact him yourself to close the issue so that the feed can be released from the stop sale. If you do not

agree, I would like to have a call to discuss.

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